

FEB 22 2002

PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of: Gochanour

Serial No.: 09/110,987

Art Unit: 3724

Filed: July 7, 1998

Examiner: G. Bae

For: PROTECTIVE HAND COVERING AND DISPENSER APPARATUS

APPELLANT'S REPLY BRIEF

Box AF

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is Appellant's Reply Brief in response to the Examiner's Answer dated November 1, 2001.

(2) Related Appeals and Interferences

In the Examiner's Answer states that Appellant's brief "does not contain a statement identifying the related appeals and interferences ...". However, this is simply not true. Reference is made to Appellant's Brief, Part II.

(11) Response to Argument

In the Examiner's Answer, a new point of argument is raised, namely, that "providing Garr with a plastic base would not hamper the usefulness of the device because the plastic would still be capable of operating a base for the material as it is drawn from the supply roll." Appellant would not disagree with this statement if the plastic used were hard, non-resilient plastic. But apparently, the Examiner is confusing "plastic" with "resilient."

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The Examiner goes on to say that "providing a resilient base member does not appear to be a critical structural feature of the invention, since a non-resilient base member is set forth *in a different claim*" (emphasis added). Given that each claim of a patent application and issued patent represents a separate invention reciting features which are presumably critical to that embodiment, pointing to the limitations (or lack of limitations) in a different claim does not supported an argument as to the patentability of a claim in question.

Appellant again urges the Board to concur with the allowability of the rejected claims, so that this case may pass to issuance on a timely basis.

Respectfully submitted,



By: _____


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Dated: Jan. 2, 2002

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Box AF, Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: 1-2-02


Sheryl L. Hammer